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**United States Senate**

WASHINGTON, DC 20510-4502

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**RELEASED IN FULL**

September 9, 2002

The Honorable Anne Patterson  
Ambassador  
US Embassy Bogota

FAX: 011-571-315-2197

Dear Ambassador Patterson:

I am writing to follow up on your letter of July 24, 2001, which responded to my letter of July 14, 2001, concerning the Santo Domingo massacre of December 12, 1998.

In my July 14<sup>th</sup> letter, I asked about the role of the Aircan plane. You replied that "we will know more when videotapes taken by the aircraft are examined by forensic specialists." Who conducted the forensic examination, when was it done, and what was the result?

You wrote that you received a request from the Colombian Procurador for information on the whereabouts of the three Americans on board the aircraft, but that you could only release that information if requested by a Colombian "law enforcement agency" in the context of a criminal investigation. Is that true regardless of the source of your information concerning their whereabouts? Has the Embassy made any attempt to obtain the names of the Americans from Aircan, or from any other source? For what purpose was the Procurador requesting the information? Does the exercise of the Procurador's "broad disciplinary authority" constitute a "secondary purpose" under U.S. law?

You indicated that you could release information about the Americans if there is "some suspicion that [they] engaged in some criminal activity." Does U.S. law bar the release of information concerning the whereabouts or activities of an American who is a witness to suspected criminal activity, which if proven could constitute murder or attempted murder?

What efforts have U.S. officials made to locate and interview the Americans about their role in this incident?

UNITED STATES DEPARTMENT OF STATE  
REVIEW AUTHORITY: MELVIN E SINK  
DATE/CASE ID: 25 JUN 2004 200300860

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Based on information I have received, there has been no significant progress in this case since July 24<sup>th</sup>. This concerns me greatly, as the Administration begins to provide training and equipment to the 18<sup>th</sup> Brigade in Arauca. Members of the 18<sup>th</sup> Brigade allegedly planned the Santo Domingo operation, looted the town after the bomb was dropped and the inhabitants fled, and tried to cover up the crime. I would appreciate an update on the status of this case.

Thank you for your assistance.

Sincerely,

  
PATRICK LEAHY  
United States Senator

I look forward to your  
response.

FJ

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